IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No. 1983 OF 2006.

Balasaheb Vithoba .. .. Applicant.

Versus.

State of Maharashtra. .. .. Respondent.

Mr. Shekhar Ingawale, Advocate for the Applicant.
Mr. Rajesh More, A.P.P.for the State.
Mr. Machhindra Patil,Advocate for complainant.

CORAM :K.J.ROHEE,J.

DATE :19/05/2006.

P.C.

. Heard the learned counsel for the applicant and A.P.P. for the State.

2] Applicant no.1 is serving Laboratory Assistant in the Irrigation Department of the State Government. Applicant No. 2 is his wife. The applicants established educational institute. Applicant no.1 became its Chairman and petitioner no. 2 Secretary. Applicant no.2 is also appointed as Head Mistress in one of the school started by this educational institute. The schools were established in 1991 onwards.

3] Sometime in 2002 the villagers made complaints against the applicants in respect of mal - administration of the schools and

misappropriation of the amounts. Sometime in 2003 investigation started into the complaints. The petitioners were interrogated by the Investigating authorities. Ultimately on 21.4.2006 offence was registered against the applicants.

4] The main allegation against the applicants is about possessing asset disproportionate to their known income source. A detailed enquiry has been conducted. It is said that enquiry as regards some stamp papers is required to be done and that it cannot be done without the applicants being taken into custody. The Trial Court rejected the application on the ground that custodial interrogation of the applicants is absolutely necessary. I donot find anything to disagree with the trial Court.

5] In the result, the application is dismissed.

(K.J.ROHEE.J.)